

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JONATHAN ALTER, KAI BIRD, TAYLOR
BRANCH, RICH COHEN, EUGENE LINDEN,
DANIEL OKRENT, JULIAN SANCTON,
HAMPTON SIDES, STACY SCHIFF, JAMES
SHAPIRO, JIA TOLENTINO, and SIMON
WINCHESTER, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

OPENAI INC., OPENAI GP, LLC, OPENAI,
LLC, OPENAI OPCO LLC, OPENAI GLOBAL
LLC, OAI CORPORATION, LLC, OPENAI
HOLDINGS, LLC, and MICROSOFT
CORPORATION,

Defendants.

Case No. 1:23-cv-10211-SHS

**DECLARATION OF ANDREW M. GASS
IN SUPPORT OF MOTION TO ADMIT
COUNSEL *PRO HAC VICE***

I, ANDREW M. GASS, declare as follows:

1. I am a partner at the law firm of Latham & Watkins LLP, and I am counsel for Defendants OpenAI, Inc., OpenAI GP, L.L.C., OpenAI, L.L.C., OpenAI OpCo, LLC, OpenAI Global, LLC, OAI Corporation, LLC, OpenAI Holdings, LLC, (together, “OpenAI”).
2. I respectfully submit this declaration in support of my Motion to Admit Counsel *Pro Hac Vice*.
3. I am a member in good standing of the bar of the State of California and was admitted on December 5, 2008.
4. I attach a certificate of good standing from the Supreme Court of the State of California, which was issued within thirty days of this filing, as **Exhibit A** to my motion for admission *pro hac vice*.

5. I have never been convicted of a felony or been the subject of any criminal conviction.
6. I have never been censured, suspended, disbarred or denied admission or readmission by any court.
7. I have never been the subject of a disciplinary sanction and there are no disciplinary proceedings presently pending against me.

Wherefore your declarant respectfully submits that he be permitted to appear as counsel *pro hac vice* in this one case on behalf of Defendants OpenAI, Inc., OpenAI, L.P., OpenAI GP, L.L.C., OpenAI, L.L.C., OpenAI OpCo, LLC, OpenAI Global, LLC, OAI Corporation LLC, OpenAI Holdings, LLC, OpenAI Startup Fund I, L.P., OpenAI Startup Fund GP I, L.L.C., and OpenAI Startup Fund Management, LLC (together, “OpenAI”).

I declare under penalty of perjury that the foregoing is true and correct.

Dated: January 29, 2024

/s/ Andrew M. Gass
Andrew M. Gass